United States Court of Appeals

For the Eleventh Circuit

No. 05-16640

FILED U.S. COURT OF APPEALS **ELEVENTH CIRCUIT**

District Court Docket No. 05-00675-CV-T-3

May 5, 2006 THOMAS K. KAHN

CLERK

JAMES H. SHORTZ,

Plaintiff-Appellant,

versus

UNITED PARCEL SERVICE,

Defendant-Appellee.

A True Copy - Attested// Clerk U.S. Court of Appeals, Eleventh Circui

Deputy Clerk

Atlanta, Georgia

Appeal from the United States District Court for the Middle District of Alabama

JUDGMENT

It is hereby ordered, adjudged, and decreed that the attached opinion included herein by reference, is entered as the judgment of this Court.

Entered: For the Court: May 5, 2006

Thomas K. Kahn, Clerk

By:

Jackson, Jarvis

JUN 0 5 2006

U.S. COURT OF APPEALS ATLANTA, GA